

## **REMARKS**

In the Office Action mailed December 31, 2007, the Examiner noted that claims 1-3, 6-12 and 15-18 were pending and rejected claims 1-3, 6-12 and 15-18. Claims 1, 2, 3, 8, 11, 12 and 17 have been amended, no claims have been canceled, new claim 19 has been added; and, thus, in view of the foregoing claims 1-3, 6-12 and 15-19 remain pending for reconsideration which is requested. No new matter is believed to have been added. The Examiner's rejections and objections are respectfully traversed below.

### **Interview Summary**

The undersigned would like to thank the Examiner for conducting the Interview over the telephone on January 30, 2008. The following comments are based on the Interview with respect to the objection and the rejection under 35 U.S.C. § 112, second paragraph regarding claims 1-3, 11, 12 and 17.

### **Objection to the Claims**

The Office Action, on page 2, objected to claim 1 because of informalities. As discussed at the Interview, claim 1 has been amended as suggested by the Examiner. Accordingly, withdrawal of the objection is respectfully requested.

### **Rejections under 35 U.S.C. § 112**

The Office Action, on page 2, rejected claims 2, 3, 11, 12 and 17 under the second paragraph of 35 U.S.C. § 112 for indefiniteness.

Particularly, the Office Action, on page 2, rejected claims 2 and 11 for covering both an apparatus and a method of using an apparatus. As discussed at the Interview and as noted in the Continuation Sheet of the Interview Summary mailed on February 13, 2008, claim 1 has been amended to recite, for example, "a first reception unit capable of receiving", thereby setting forth the capabilities rather than actual performance, as suggested by the Examiner.

Claim 11 has also been similarly amended as suggested by the Examiner. Claims 3 and 12, which depend from claims 2 and 11, respectively, have been similarly amended as suggested by the Examiner at the Interview.

The Office Action, on page 3, further rejected claim 2 because the last paragraph was unclear. As discussed at the Interview, the last paragraph of claim 2 has been amended to recite "a first transmission unit capable of transmitting to the user terminals a virtual space identifier corresponding to the received symbol identifier and the computed level of similarity in

user preference based on the correspondence table" to further clarify the last paragraph of claim 2.

The Office Action, on page 3, rejected claim 17 for insufficient antecedent basis. Claim 17 has been amended to overcome the rejection, as discussed at the Interview.

The Office Action, on page 3, rejected claim 17 because the 5<sup>th</sup> and 6<sup>th</sup> paragraphs of claim 17 were unclear as to which entity is sending the request and which entity is receiving the request. Claim 17 has been amended as discussed at the Interview and as noted in the Continuation Sheet of the Interview Summary mailed on February 13, 2008.

Accordingly, withdrawal of the rejection under the second paragraph of 35 U.S.C § 112 is respectfully requested.

### **Rejections under 35 U.S.C. § 102 and § 103**

The Office Action, on page 4, rejected claim 17 under 35 U.S.C. § 102(e) as being anticipated by Bezos (U.S. Patent No. 6,525,747).

Bezos is directed to a method and system for conducting an electronic discussion relating to an item (see Bezos, col. 1, lines 6-9). Specifically, Bezos describes at col. 4, lines 52-59 that:

the discussion system is provided as part of the Web site. When a user displays a Web page using a browser, the user ("originating participant") may select to start a discussion relating to an item displayed as part of the Web page. The discussion system may generate a message (e.g., e-mail message) that includes a description of the item and may send a message to other participants designated by the original participant.

Stated another way, because the item is already stored in the system, the system need not request the item from the user. As a result, according to Bezos, the user is able to select the item to start the discussion.

However, in claim 17 because "the first user terminal stores" a symbol, the intermediatelying terminal is required to "send an acquisition request for acquiring [the] symbol that the first user terminal [has] store[d]" prior to sending the symbol and the identifier of the symbol to the second user terminal. This feature is not taught or suggested by Bezos because in Bezos since the item of discussion is already stored in the server the server is able to send a message including a description of the item to another participant, whereas in claim 1 because the server does not store the symbol, the server is required to "send an acquisition request for acquiring [the] symbol that the first user terminal stores".

Therefore, it is submitted that Bezos fails to teach or suggest at least the above-quoted features recited in claim 17. Thus, it is submitted that claim 17 is patentable over Bezos.

The Office Action, on page 5, rejected claim 18 under 35 U.S.C. § 102(e) as being anticipated by Bezos (U.S. Patent No. 6,525,747) or under 35 U.S.C. § 103(a) as being unpatentable over Bezos.

As discussed above, Bezos is directed to a method and system for conducting an electronic discussion relating to an item (see Bezos, col. 1, lines 6-9). According to Bezos, because the item is already stored in the system, the system need not request the item from the user. As a result, according to Bezos, the user is able to select the item to start the discussion.

In contrast, claim 18 requires that the "first electronic device ... store the symbol". Bezos does not teach or suggest the above-quoted feature in claim 18 because Bezos stores the item in the system itself rather than storing the item in the electronic device.

Further, instead of "receiving ... [the symbol] from [the] first electronic device" to determine a virtual chat space identifier that corresponds to the symbol, as required by claim 18, Bezos generates a message including the description of the item once the user selects the discussion related to the item.

Therefore, in view of the foregoing, it is submitted that Bezos does not teach or suggest at least the above-quoted features in claim 18. Thus, it is submitted that claim 18 is patentable over Bezos.

Accordingly, withdrawal of the rejection is respectfully requested.

## New Claim

New Claim 19 has been added to recite:

receiving, at a server, a request from a second terminal to acquire a symbol of merchandise stored by a first terminal;

retrieving, at the server, the symbol of the merchandise from the first terminal and transmitting the symbol of the merchandise to the second terminal;

reporting, to the first second and the second terminal, an identifier of a virtual chat space that corresponds to the symbol of the merchandise; and

connecting the first terminal and second terminal, which store the symbol of the merchandise, to the virtual chat space based on the reported identifier of the virtual chat space to allow communication about merchandise with other terminals

(claim 19, lines 2-10). It is submitted that Bezos does not teach or suggest the above-quoted feature recited in claim 19. Particularly, new claim 19 emphasizes the feature of "receiving, at a server, a request from a second terminal to acquire a symbol of merchandise stored by a first

"terminal" (emphasis added), which is not found to be taught or suggested by Bezos, since Bezos stores items in the server itself rather than user terminals. Therefore, it is submitted that claim 19 is patentable over Bezos.

### **Allowable Subject Matter**

The Office Action, on page 6, indicated that claims 1-3, 6-12, 15 and 16 contain allowable subject matter. The Office Action asserted that some of the claims (e.g. 1, 2, 3, 11, 12 and 17) cannot be allowed until the § 112, second paragraph, rejections and objection to the claim is overcome. It is submitted that claims 1-3, 6-12, 15 and 16 are placed in condition for allowance since the amendments to claims 2, 3, 11, 12 and 17 overcome the rejection under 35 U.S.C. § 112, second paragraph, and the amendments to claim 1 has overcome the objection.

### **Summary**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. Further, all pending claims patentably distinguish over the prior art. There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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